IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 9TH FEBRUARY 2007 / 20TH MAGHA 1928

OP.No. 11904 of 2003(P)

PETITIONER:

P.A.SAJUKUTTAN, AGED 39 YEARS,
S/O. KARUNAKARAN, URUMBIL HOUSE, KOOROPPADA,
KOTTAYAM DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE ASST. EXCISE COMMISSIONER,
PALAKKAD.

3. THE DEPUTY TAHSILDAR (R.R),
KOTTAYAM.

4. THE ASST.EXCISE COMMISSIONER,
KOTTAYAM.

5. THE EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.SMITHA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 09/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON C.M.P. NO.20404/2003 & I.A. NO.4255/2004 IN O.P. NO.11904/2003

DISMISSED:

9.2.2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE.)

APPENDIX

PETITIONER'S EXHIBITS:

P1: PHOTOCOPY OF LETTER DT.1.4.2003 ISSUED BY R2 TO R4.

P2: PHOTOCOPY OF G.Os. DT.2.6.2000 AND 30.9.2000.

P3: PHOTOCOPY OF ORDER DT.29.1.2003 IN CMP NO.5780/2003 IN O.P. NO.3280/2003 OF THIS HON'BLE COURT.

TRUE COPY

P.S. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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O.P. No.11904 of 2003

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Dated this the 9th day of February, 2007.

JUDGMENT

Since the issue raised i.e. interest on transport fee is covered by judgment of this court in O.P. No.5876/2003 and connected cases and judgment in W.A. No.1041/2006, this O.P. is disposed of directing respondents to recompute the liability based on the two judgments and grant consequential refund or demand, if any amount is due, within three months from the date of production of copy of this judgment.

C.N.RAMACHANDRAN NAIR
Judge

pms